

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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**TENTH LEGISLATIVE DAY  
WEDNESDAY, JANUARY 20, 2010**

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused – Labrador. Total – 1.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Andrew Nilsen, Page.

### Approval of Journal

January 20, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### Report of Standing Committees

January 20, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 382](#), [H 389](#), [H 390](#), and [H 391](#).

CLARK, Chairman

[H 389](#) was referred to the Ways and Means Committee.

[H 390](#) and [H 391](#) were referred to the State Affairs Committee.

January 20, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 382](#), [H 384](#), [H 385](#), and [H 388](#) and recommend that they do pass.

LAKE, Chairman

[H 382](#), [H 384](#), [H 385](#), and [H 388](#) were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 392 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO APPEALS OF DECISIONS ON REQUESTS FOR CHANGES IN ZONING; AMENDING SECTION 50-222, IDAHO CODE, TO PROVIDE THAT DECISIONS OF A CITY COUNCIL REGARDING THE ZONING OF LANDS ANNEXED PURSUANT TO ANY CATEGORY OF ANNEXATION SHALL BE SUBJECT TO JUDICIAL REVIEW IN ACCORDANCE WITH THE PROCEDURES IN THE ADMINISTRATIVE PROCEDURE ACT AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-6521, IDAHO CODE, TO PROVIDE THAT A PERSON HAVING AN INTEREST IN REAL PROPERTY THAT MAY BE ADVERSELY AFFECTED BY A DECISION ON A REQUEST BY A PROPERTY OWNER FOR ESTABLISHMENT OF OR CHANGE IN ZONING OR FOR CONDITIONAL REZONING MAY SEEK JUDICIAL REVIEW AS PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT.

#### HOUSE BILL NO. 393 BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO DISTILLED SPIRITS SAMPLE TASTING; AMENDING CHAPTER 5, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-509A, IDAHO CODE, TO PROVIDE THAT MANUFACTURERS OF DISTILLED SPIRITS MAY CONDUCT SAMPLE TASTINGS, TO SET FORTH REQUIREMENTS APPLICABLE TO SAMPLE TASTING EVENTS AND TO SET FORTH ADDITIONAL REQUIREMENTS FOR MANUFACTURERS OF DISTILLED SPIRITS WHEN CONDUCTING A SAMPLE TASTING.

#### HOUSE BILL NO. 394 BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO VERTEBRATE PALEONTOLOGICAL SITES AND RESOURCES; AMENDING CHAPTER 30, TITLE 33, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 33-3013, 33-3014, 33-3015 AND 33-3016, IDAHO CODE, TO PROVIDE FOR A PURPOSE, TO PROVIDE FOR EXCAVATION PERMITS, TO PROVIDE FOR RULES, PROHIBITIONS, AUTHORITY AND LIMITATIONS AND TO PROVIDE FOR PENALTIES; AMENDING SECTION 67-4119, IDAHO CODE, TO REMOVE REFERENCE TO VERTEBRATE PALEONTOLOGICAL; AMENDING SECTION 67-4120, IDAHO CODE, TO REMOVE REFERENCE TO VERTEBRATE PALEONTOLOGICAL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-4121, IDAHO CODE, TO REMOVE REFERENCE TO VERTEBRATE PALEONTOLOGICAL AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-4122, IDAHO CODE, TO REMOVE REFERENCE TO VERTEBRATE PALEONTOLOGICAL AND TO MAKE A TECHNICAL CORRECTION.

[H 392](#), [H 393](#), and [H 394](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

[H 380](#) and [H 381](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, January 21, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:44 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk